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9 **Attorney for Plaintiff, HERBERT S. OLSON**

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **HERBERT S. OLSON**,) Case No. C-08-0670 JCS
 13 Plaintiff,)
 14 v.) STIPULATION OF DISMISSAL WITH
 15) PREJUDICE AND (Proposed) ORDER
 16)
 17 **AARON SCHMADEKE, ALYCE**)
 18 **SCHMADEKE, dba COTTAGE COFFEE**)
 19 **SHOP, BETTY J. OWENS, Trustee of the**)
 20 **BETTY J. OWENS REVOCABLE TRUST**)
 21 **OF 1994, THOMAS E. STITES, as Trustee**)
 22 **of the THOMAS E. STITES Trust dated**)
 23 **January 28, 1999, and DOES ONE to**)
 24 **FIFTY, inclusive,**)

25 **Defendants.**

26 Plaintiff **HERBERT S. OLSON** and Defendants **AARON SCHMADEKE, ALYCE**
 27 **SCHMADEKE, dba COTTAGE COFFEE SHOP, BETTY J. OWENS, Trustee of the BETTY**
 28 **J. OWENS REVOCABLE TRUST OF 1994, THOMAS E. STITES, as Trustee of the**
THOMAS E. STITES Trust dated January 28, 1999 (collectively "the Parties"), by and
 through their respective attorneys of record, hereby stipulate as follows:

29 1. The Parties have entered into a Confidential Settlement Agreement and General
 30 Release in this matter whereby they have resolved all claims and agreed to the dismissal of
 31 the above-captioned action with prejudice, each party to bear their own attorney fees and
 32 costs.

2. Accordingly, the Parties jointly request the Court to dismiss this action with prejudice.

SINGLETON LAW GROUP

Dated: April 4, 2007

/s/ Jason K. Singleton Law Group

Jason K. Singleton,
Richard E. Grabowski, Attorneys for
Plaintiff, **HERBERT S. OLSON**

ABBEY, WEITZENBERG, WARREN & EMERY PC

Dated: April 4, 2007

/s/ David Berry

David Berry, Attorney for Defendants

AARON SCHMADEKE, ALYCE SCHMADEKE, dba
COTTAGE COFFEE SHOP, BETTY J. OWENS,
Trustee of the BETTY J. OWENS REVOCABLE
TRUST OF 1994, THOMAS E. STITES, as Trustee
of the THOMAS E. STITES Trust dated January 28,
1999

ORDER OF DISMISSAL WITH PREJUDICE

Having considered the parties' Stipulation of Dismissal with Prejudice and for good cause appearing, it is hereby ORDERED:

1. The action OLSON vs. SCHMADEKE, et al., Case Number C-08-0670 JCS, is dismissed with prejudice with each party to bear his or her own attorneys fees and costs.

Dated: April 16, 2008

